

Wetlands Bureau Decision Report

Decisions Taken
04/26/2004 to 04/30/2004

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2004-00250 DUPONT, GERALD
THORNTON Mill Brook

Requested Action:

Dredge and fill 25,975 square feet (1173 linear feet) within the bed and banks of Mill Brook to relocate a portion of the brook and control severe bank erosion and improve stream channel stability. Work to include installation of in stream control structures, excavation of the existing stream channel and relocation of existing native plants to the new stream bank and floodplain.

Conservation Commission/Staff Comments:

No comments submitted by the Conservation Commission

Inspection Date: 12/05/2003 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Dredge and fill 25,975 square feet (1173 linear feet) within the bed and banks of Mill Brook to relocate a portion of the brook and control severe bank erosion and improve stream channel stability. Work to include installation of in stream control structures, excavation of the existing stream channel and relocation of existing native plants to the new stream bank and floodplain.

With Conditions:

1. All work shall be in accordance with plans by Provan & Lorber, plan sheets 2-3 and 5-6 dated January 2004, as received by the Department on February 17, 2004 and plan sheets 1 and 4 dated April 26, 2004, as received by the Department on April 30, 2004.
2. The Town shall obtain temporary construction easements or letters of consent from affected landowners and shall supply copies of the easements or letters to DES Wetlands File No. 2004-250 prior to construction.
3. Work shall be conducted during low flow conditions and during the months of May through September. No in stream work shall occur after October 1, unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
4. The applicant shall notify the Wetlands Bureau and the Stratford Conservation Commission of their intention to begin construction no less than five (5) business days prior to the commencement of construction.
5. Construction shall be inspected daily by a qualified wetland scientist, erosion control specialist, or professional engineer to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
6. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
8. All in-stream work shall be conducted in a manner to minimize turbidity and sedimentation to surface waters and shall be conducted in a manner so as to minimize the duration of construction in the watercourse.
9. Temporary cofferdams and culverts shall be utilized to the greatest extent practicable to minimize equipment working within surface waters.
10. Cofferdams shall be entirely removed immediately following construction.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
15. Construction equipment shall utilize timber or plywood mats beneath machines when driving over wetland areas.
16. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.

17. All temporary access roads shall be properly restored.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. The permittee shall conduct a follow-up inspection after the first and second growing seasons, to review the success of the restoration project and schedule remedial actions if necessary. Photo documentation and a brief report shall be submitted to the Wetlands Bureau by December 1st of each year.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(i), alteration of more than 200 linear feet of a nontidal perennial stream channel and its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on December 5, 2003. Field inspection determined loss of roadway is a public safety concern.
6. The project design will utilize bioengineering techniques with out the use of rip rap stabilization.
7. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this lacustrine system as proposed.

2004-00284 PATRICIA DRIVE ASSOCIATION, C/O ROBERT ERICKSON
MEREDITH Lake Winnepesaukee

Requested Action:

Replace (4) pilings supporting an existing 6 ft x 52 ft pier with (4) existing 2 ft x 23 ft finger piers and (2) existing 4 ft x 23 ft finger piers, and add (8) 3 ft x 3 ft sections totaling 72 sq ft of decking for safety on an average of 291 ft of frontage on Meredith Neck, Lake Winnepesaukee.

Conservation Commission/Staff Comments:
Con. Com. signed application

APPROVE PERMIT:

Replace (4) pilings supporting an existing 6 ft x 52 ft pier with (4) existing 2 ft x 23 ft finger piers and (2) existing 4 ft x 23 ft finger piers, and add (8) 3 ft x 3 ft sections totaling 72 sq ft of decking for safety on an average of 291 ft of frontage on Meredith Neck, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated February 5, 2004, as received by the Department on February 23, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be

- avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
 7. Repair shall maintain existing size, location and configuration, with (8) 3 ft x 3 ft sections added inside the existing finger piers for safety totaling an additional 72 sq ft of decking.
 8. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
 9. All old pilings and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
 10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(d), modification of an existing major docking facility.
2. The applicant has an average of 291 feet of frontage along Lake Winnepesaukee.
3. A maximum of 10 grandfathered slips exist on this frontage.
4. In accordance with Rule Wt 304.16, Alternative Considerations the Department may waive any of the criteria of Chapter Wt 300.
5. According to Wt 304.10, Shoreline Structures, shoreline structures shall meet the criteria of Chapter Wt 400.
6. The Department shall waive Rule Wt 304.10, as it applies to Rule Wt 402.22, Modification of Existing Structures, to help stabilize and improve pedestrian safety on the existing docking structure.
7. Public hearing is waived based on field inspection, by NH DES staff, on April 6, 2004, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

2004-00470 SHORT, BRIAN
DOVER Piscataqua River

Requested Action:

Construct a 6 ft x 90 ft pier supported by pilings leading to a 3 ft. x 40 ft. ramp and two floats arranged in a T-shape, measuring 6 ft x 20 ft and a 10 ft x 30 ft, on approximately 450 feet of frontage along the Piscataqua River in Dover.

Conservation Commission/Staff Comments:

con com intervened until 4/28/04

Inspection Date: 04/12/2004 by Christina Altimari

APPROVE PERMIT:

Construct a 6 ft x 90 ft pier supported by pilings leading to a 3 ft. x 40 ft. ramp and two floats arranged in a T-shape, measuring 6 ft x 20 ft and a 10 ft x 30 ft, on approximately 450 feet of frontage along the Piscataqua River in Dover.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine Corporation dated March 18, 2004, as received by the Department on March 22, 2004.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
4. This permit shall not be effective until recorded at the Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
6. The decking of the dock shall have a minimum of 6 ft. clearance from the surface of the mud flat and shall have 3/4-inch spacing between the decking planks and the ramp shall have a minimum of 3 ft. clearance from the surface of the mud flat.

7. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
8. Work shall be done during low tide.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in tidal waters.
2. Public hearing is waived based on DES staff field inspection on April 12, 2004 with the finding that the project impacts will not significantly impair the resources of this tidal river.
3. The Pease Development Authority - Division of Ports and Harbors has reviewed the plans and determined that the proposed dock does not impede navigation.
4. The NH Division of Historical Resources has been notified of the proposed project plans.
5. This dock is consistent with other tidal dock approvals in the seacoast region.

2004-00549 NASHUA, CITY OF
NASHUA Unnamed Wetland

Requested Action:

Dredge and fill 70,319 sq. ft. of degraded jurisdictional wetlands, being under long term management as a portion of a golf course fairway, for the construction of a stormwater control and treatment facility designed to reduce the combined sewer overflows to the Merrimack River.

Conservation Commission/Staff Comments:

The Nashua Conservation Commission recommends approval of this application w/ stipulations which have been incorporated into the permit conditions as applicable.

Inspection Date: 03/05/2004 by Frank D Richardson

APPROVE PERMIT:

Dredge and fill 70,319 sq. ft. of degraded jurisdictional wetlands, being under long term management as a portion of a golf course fairway, for the construction of a stormwater control and treatment facility designed to reduce the combined sewer overflows to the Merrimack River.

With Conditions:

1. All work shall be in accordance with plans by The Louis Berger Group, Inc. dated 03-29-2004, as received by the Department on April 02, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau except where utilized in the construction of the stormwater treatment facility .
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be

stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

11. Work shall be done during low flow.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c), to dredge and fill 70,319 sq. ft. of degraded jurisdictional wetlands, being under long term management as a portion of a golf course fairway, for the construction of a stormwater control and treatment facility designed to reduce the combined sewer overflows to the Merrimack River.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

5. DES Staff conducted a field inspection of the proposed project on March 05, 2004. Field inspection determined impacts are on poorly drained portions (hydric soils) of a fairway w/little or no wetland/wildlife habitat functions or values.

6. The proposed treatment system will substantially enhance the functional capability of the existing wetland complex to provide floodflow alteration, sediment/toxicant retention and nutrient retention/transformation functions.

7. No compensatory mitigation in the form of wetland creation, restoration or preservation is required, as this project is considered an enhancement to this degraded portion of a wetland system.

8. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this degraded wetland system and will enhance stormwater management/treatment prior to discharge to the Merrimack River.

MINOR IMPACT PROJECT

2000-00718 ZOUKIS, CHARLES
PELHAM Unnamed Stream

Requested Action:

Request amendment to separate a common driveway to access lots 1-161-1 and 1-161-4 into two individual driveways parallel to each other requiring a 20 linear foot extension of the existing 18 inch diameter culvert.

Conservation Commission/Staff Comments:

Pelham Cons. Comm. opposed to larger portion of fill required to construct through road. Recommend cul-de-sac to avoid impacts. Pelham Planning Dept. requires through road citing access needs for school buses, emergency vehicles etc.

APPROVE AMENDMENT:

Approve amendment to separate a common driveway to access lots 1-161-1 and 1-161-4 into two individual driveways parallel to each other requiring a 20 linear foot extension of the existing 18 inch diameter culvert.

Permit to read: Dredge and fill a total of 15,500 sq. ft. of palustrine forested/ scrub-shrub wetlands to construct a roadway with culvert crossings (including separate driveways to lot #s 1-161-1 & 1-161-4) to access a 21 lot residential subdivision on a 58.26 acre parcel of land of which 8.25 acres are to be placed in a conservation easement.

With Conditions:

1. All work shall be in accordance with plans by M.J.Grainger Engineering, Inc. dated March 26, 1999, as received by the Department on April 18, 2000 and July 21, 2000.

- 1a. Amendment to be in accordance with plans by M.J.Grainger Engineering, Inc. dated February 26, 2004, as received by the Department on April 20, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Proper headwalls shall be installed.
9. Culvert outlets shall be properly rip rapped.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.

WETLAND PRESERVATION:

1. This permit is contingent upon the execution of a conservation easement on 8.25 acres as depicted on plans received July 21, 2000.
2. The conservation easements that may be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
3. Draft conservation easement language shall be submitted to the Wetlands Bureau and local Conservation Commission for review and approval.
4. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau.
5. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
6. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
7. Signs to indicate the location of and restrictions on the area shall be posted every 150 feet along the boundary of the conservation area prior to construction.
8. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
9. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a minor impact project per Rule Wt 303.03(h).
2. The concerns of the Pelham Conservation Commission were addressed by Wetlands Bureau staff during a field inspection.
3. The construction of a through road is preferable to a cul-de-sac due to the need for access by school buses and emergency vehicles.
4. This project meets the requirements for avoidance and minimization of impacts to wetlands as set forth in Rule Wt 302.03.
5. The applicant has demonstrated compliance with the requirements for application evaluation set forth in Rule Wt 302.04.

2002-00073 UPTON, BARBARA
BEDFORD Unnamed Wetland

Requested Action:

Dredge and fill a total of 19,660 sq. ft. of palustrine forested/scrub-shrub wetlands to construct roadways with culvert crossings and appurtenant drainage structures and driveways to access a 25-lot residential subdivision on a 72.282 acre parcel of land of which 25.49 acres are being placed in a conservation easement.

Conservation Commission/Staff Comments:

The Bedford Conservation Commission "...voted to recommend support of the... dredge and fill application."

APPROVE PERMIT:

Dredge and fill a total of 19,660 sq. ft. of palustrine forested/scrub-shrub wetlands to construct roadways with culvert crossings and appurtenant drainage structures and driveways to access a 25-lot residential subdivision on a 72.282 acre parcel of land of which 25.49 acres are being placed in a conservation easement.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated February 11, 2001 (last revised April 14, 2004) & February 11, 2002 (last revised 4/15/04), as received by the Department on April 20, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit shall not be effective until it has been recorded with the Hillsborough County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback or other construction activities.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Culvert outlets shall be properly rip rapped.
14. Work shall be done during low flow.

LAND RESOURCES PRESERVATION:

1. This permit is contingent upon the execution of a conservation easement on 25.49 acres as depicted on plans received April 20, 2004.
2. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
3. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the Hillsborough County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
4. The permittee shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
5. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments prior to construction.
6. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
7. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
8. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), to dredge and fill a total of 19,660 sq. ft. of palustrine

forested/scrub-shrub wetlands to construct roadways with culvert crossings and appurtenant drainage structures and driveways to access a 25-lot residential subdivision.

- 1a. Compensatory mitigation is provided for by a 25.49 acre conservation easement.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2003-01127 ATTAR LIVING TRUST
GILFORD Lake Winnepesaukee

Requested Action:

Amend permit to include a seasonal boatlift in the center slip.

Conservation Commission/Staff Comments:

Con. Com. had no objection to project.

APPROVE AMENDMENT:

Amend Permit to read:

Permanently remove 150 sq ft of an existing non-conforming patio and an existing non-conforming 10 ft 6 in x 25 ft wharf connected to an existing 6 ft x 50 ft piling pier, and replace with (2) 6 ft x 48 ft piling piers attached to a 6 ft x 25 ft wharf, with 5 ft wide stairs accessing the water, and install (3) fender pilings, (1) 3-piling ice cluster and (1) 12 ft x 12 ft seasonal boatlift on an average of 151 ft of frontage on Governor's Island, Lake Winnepesaukee.

With Conditions:

With Amended Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated November 17, 2003, revised on April 22, 2004, as received by the Department on April 26, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. The existing 300 sq ft patio shall be reduced to 150 sq ft and located at least 20 ft landward of the normal high water line prior to new construction. Photographs showing the reduction shall be submitted to the Wetlands Bureau prior to new construction.
8. The non-conforming docking structure shall be removed and placed outside the jurisdiction of the Wetlands Bureau prior to new construction.
9. All pilings shall be spaced at least 12 ft apart for length.
10. Seasonal structures, including boatlifts, shall be removed for the nonboating season.
11. This permit to replace existing structures shall not preclude the DES from taking any enforcement action or revocation action if it later determines that any "existing structures" were not previously permitted or grandfathered in their current configuration.

12. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
13. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a 3-slip permanent docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on June 23, 2003. Field inspection determined that the project is approvable provided the non-conforming docking structure and the 300 sq ft patio shall be brought into compliance prior to new construction.

2004-00099 ROUTE 4 REALTY TRUST
NOTTINGHAM Unnamed Wetland

Requested Action:

Fill approximately 14,040 square feet within forested wetlands and within the bed and banks of a perennial and intermittent stream to construct a roadway to provide access to a 50-lot residential subdivision on approximately 215.19 acres. Fill approximately 1,500 square feet of forested wetlands to construct a driveway to provide access to a single lot of the residential subdivision. As compensatory mitigation for wetlands and surface waters impacts preserve approximately 53.33 acres on-site through execution of a conservation easement.

Conservation Commission/Staff Comments:

In a letter to the DES Wetlands Bureau dated January 26, 2004 the Nottingham Conservation Commission (ConCom) indicated that it intended to investigate the application, pursuant to RSA 482-A:11. The Department has received no subsequent correspondence regarding this application from the Nottingham ConCom.

Inspection Date: 10/28/2003 by Christian P Williams

APPROVE PERMIT:

Fill approximately 14,040 square feet within forested wetlands and within the bed and banks of a perennial and intermittent stream to construct a roadway to provide access to a 50-lot residential subdivision on approximately 215.19 acres. Fill approximately 1,500 square feet of forested wetlands to construct a driveway to provide access to a single lot of the residential subdivision. As compensatory mitigation for wetlands and surface waters impacts preserve approximately 53.33 acres on-site through execution of a conservation easement.

With Conditions:

1. All work shall be in accordance with the following plans received by the Department on April 23, 2004:
 - a) The Subdivision Plan (Sheets 1 - 4 of 29) and the Proposed Easement Plan (Sheets 9 - 12 of 29) by Doucet Survey Inc. dated November 26, 2003 and revised April 20, 2004;
 - b) The Existing Conditions Plan (Sheets 5 - 8 of 29) by Doucet Survey Inc. dated November 26, 2003;
 - c) The Overall Site Plan (Sheet 13 of 29), the Subdivision Site Plan (Sheets 14 & 15 of 29), and the Plan and Profile (Sheets 17, 19 & 22 of 29) by Beals Associates PLLC dated August 2, 2003 and revised April 20, 2004;
 - d) The Subdivision Site Plan (Sheet 16 of 29)
by Beals Associates PLLC dated August 2, 2003 and revised March 10, 2004; and
 - e) The Plan and Profile (Sheets 18, 20, 21, 23 and 24 of 29), the General Details (Sheet 27 of 29) and the Erosion and Sediment

Control Details (Sheet 29 of 29) by Beals Associates PLLC dated August 2, 2003 and revised January 25, 2004.

2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. At least seven days prior to the start of construction the permittee shall notify in writing the NHDES Wetlands Bureau and the Nottingham Conservation Commission of the date project construction is proposed to begin.
9. Work shall be conducted during low flow conditions.
10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
11. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
12. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
13. Prior to commencing work on a substructure located within surface waters, a temporary cofferdam shall be constructed to isolate the substructure work area from the surface waters.
14. Temporary cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a temporary cofferdam is fully effective, confined work can proceed without restriction.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
17. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
18. Proper headwalls shall be constructed within seven days of culvert installation.
19. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
20. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
21. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
22. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
23. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
24. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
25. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

Upland Buffer and Wetland Preservation:

26. This permit is contingent upon the execution of a conservation easement on approximately 53.33 acres on-site, including approximately 33.48 acres of wetlands and approximately 19.85 acres of contiguous upland buffer, as depicted as Open Space 'A' and Open Space 'B' on the Proposed Easement Plan (Sheets 9 - 12 of 29) by Doucet Survey Inc. dated November 26, 2003 and revised April 20, 2004, as received by the Department on April 23, 2004.
27. The conservation easement to be placed on the preservation areas (Open Space 'A' & Open Space 'B') shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
28. The plan noting the preservation areas with a copy of the final Conservation Easement Deed shall be recorded with the Registry

of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.

29. The applicant shall prepare a report summarizing existing conditions within the preservation areas. Said report shall contain photographic documentation of the preservation areas, and shall be submitted to the NHDES Wetlands Bureau and the grantee prior to construction to serve as a baseline for future monitoring of the preservation areas.

30. The preservation areas shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.

31. Signs to indicate the location of and restrictions on the preservation areas shall be posted no further than every 150 feet along the boundary of the preservation areas prior to construction.

32. Prior to construction, the permittee shall notify the NHDES Wetlands Bureau of the placement of the preservation area signs.

33. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

Blanding's and Spotted Turtle Nesting Pad Construction:

34. Four 10-foot x 20-foot turtle nesting pads beds shall be constructed on Open Space Lot 'B', as depicted and detailed on the Protected Species Habitat Plan (Sheet 1 of 1) by Beals Associates PLLC and revised by NH Soils Consultants, Inc. dated December 5, 2003, as received by the Department on January 16, 2004.

With Findings:

1. The project is categorized as a Minor Impact Project, per Administrative Rule Wt 303.03(h), as the project involves less than 20,000 square feet of alteration in nontidal wetlands and surface waters.

2. In a letter dated September 8, 2003 the NH Department of Transportation (DOT) recommended moving the project's easterly access drive off Route 4 to a location opposite the entrance of Mendums Landing Drive.

3. In a letter dated November 3, 2003 Vanasse & Associates, Inc., a transportation engineering and planning company, agreed with the recommendation of the NHDOT to relocate the easterly access drive to a location opposite Mendums Landing Drive, stating that it would reduce the number of points of conflict along Route 4 thereby improving motorist safety.

4. In a memo dated September 25, 2003 the NH Natural Heritage Bureau indicated that a population of state-endangered Brook Floater mussels have been identified in the vicinity of the project site.

5. In a letter dated October 13, 2003 the NH Fish & Game Department indicated that the project is not likely to impact documented Brook Floater mussel populations downstream from the project site. The Fish & Game Department did, however, indicate that the project could potentially have an adverse impact on Blanding's Turtles and Spotted Turtles.

6. In a letter dated January 27, 2004 the NH Fish & Game Department concurred with the recommendations made by the applicant's authorized agent, NH Soil Consultants, Inc., regarding efforts to protect potential Blanding's and Spotted Turtle breeding, feeding, and nesting habitat on the project site. These efforts include preservation via conservation easement of two large wetland areas on-site (Nottingham Critical Wetland #4 and #5), which provide the most suitable habitat for these turtle species, establishment of a 50-foot no-cut, no-clear buffer around Critical Wetland #4, establishment of a 25-foot no-cut, no-clear buffer along potential travel corridors, and construction of four turtle nesting pads.

7. To compensate for permanent wetlands impacts the applicant has agreed to preserve, approximately 53.33 acres on-site, including approximately 33.48 acres of wetlands and approximately 19.85 acres of contiguous upland buffer, through execution of a conservation easement granted to the Rockingham County Conservation District. In addition, the applicant has agreed to construct four turtle nesting pads on-site.

8. The wetlands compensatory mitigation package provided by the applicant exceeds the compensatory mitigation ratios listed in Table 800-1 of the DES Wetlands Bureau's Compensatory Mitigation Rules.

9. The Department finds that a complete technical review of site drainage issues, including stormwater analyses for quality and quantity of stormwater runoff, has been conducted by the DES Site Specific Program. This includes, but is not limited to, review of: methods to control peak stormwater discharge rates; construction erosion controls; and methods for treatment of stormwater runoff from impervious surfaces. Issuance of DES Site Specific Permit WPS 6753 on April 13, 2004 is indicative that all requirements of Env-Ws 415 have been satisfied.

10. DES Wetlands Bureau staff conducted a field inspection of the property on October 28, 2003.

Based on observations made during the inspection, the Department finds that the proposal to install two precast bridge structures will significantly reduce surface waters impacts.

11. In a letter to the DES Wetlands Bureau dated January 26, 2004 the Nottingham Conservation Commission (ConCom) indicated that it intended to investigate the application, pursuant to RSA 482-A:11. The Department has received no subsequent correspondence regarding this application from the Nottingham ConCom.

12. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.

13. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
14. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
15. The applicant has addressed the subdivision plan requirements of Rule Wt 304.09(a).

2004-00171 SWANZEY, TOWN OF
SWANZEY Unnamed Wetland

Requested Action:

Temporarily impact 6,580 square feet of palustrine scrub shrub and emergent wetlands for installation of a sewer main and permanently impact 960 square feet of shoreline on Wilson Pond

Conservation Commission/Staff Comments:

Conservation Commission strongly supports the sewer project, though requests alternatives for controlling stormwater discharges into Wilson Pond.

APPROVE PERMIT:

Temporarily impact 6,580 square feet of palustrine scrub shrub and emergent wetlands for installation of a sewer main and permanently impact 960 square feet of shoreline on Wilson Pond

With Conditions:

1. All work shall be in accordance with plans by Underwood Engineers, Inc. dated January 5, 2004, revised March 9, 2004 as received by the Department on March 29, 2004 and additional temporary impacts dated March 17, 2004, as received by the Department on March 20, 2004.
2. There shall be no impacts to Mark Brook, as stated in the project narrative and description submitted by Underwood Engineers, Inc. on January 30, 2004. Changes to this proposal are to be submitted to the NHDES Wetlands Bureau for review and approval prior to the start of work.
3. Stormwater control outlet structures along Wilson Pond shall be properly constructed and stabilized in accordance with plans by Underwood Engineers, Inc. dated April 27, 2004, as received by the Department on April 27, 2004.
4. The applicant shall notify in writing NHDES Wetlands Bureau and the Swanze Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
5. The Town shall obtain temporary construction easements from affected landowners outside of the existing right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2004-00171 prior to construction.
6. Construction workspace shall be limited to the 30-ft. construction right-of-way as depicted on the approved plans, unless further authorization is received pursuant to condition #7 below.
7. All additional temporary workspace outside of the approved construction right-of-way shall be located at least 20 ft. from any wetland or watercourse or the further approval of the NHDES Wetlands Bureau shall be obtained prior to use of the workspace.
8. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to insure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
9. The applicant shall notify NHDES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
10. Work shall be done during low flow.
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
12. Any clearing required in utility line rights-of-way shall be in accordance with the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire." Timber, slash and/or chips shall be removed from wetland areas and shall not be buried in wetlands.
13. Topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoil shall be stockpiled separately from subsoil and shall be restored following backfill.
14. Timber or natural fiber mats, corduroy, or temporary rock fill shall be used to stabilize the right-of-way in wetlands. These

materials shall be entirely removed from wetlands during restoration.

15. Wetlands shall be restored to their pre-construction conditions within the right-of-way, including restoration of original grades, within 5 days of backfill.

16. Dewatering of work areas shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liners. De-watering water shall be discharged away from water bodies, on stable surfaces, in a non erosive manner.

17. A post-construction report documenting status of wetlands restoration shall be submitted to the Wetlands Bureau within six weeks of the completion of construction.

18. The right-of-way shall be monitored and a written report documenting its condition shall be submitted to the Wetlands Bureau by July 15 of the year following construction. The construction report shall include photographic documentation. The Wetlands Bureau shall require subsequent monitoring and may require corrective measures if the right-of-way is not adequately stabilized and restored.

19. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following the completion of construction. The applicant shall work with DES to attempt to eradicate nuisance species newly found along the pipeline right-of-way during this same period.

20. Wetland restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

21. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

22. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

23. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

24. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

25. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project proposes 7,540 sq ft of impacts (6,580 sq ft is temporary) for installation of sewer mains and stormwater controls and is therefore a minor impact project per Administrative Rule Wt 303.03(e), alteration of less than 20,000 sq ft of nontidal wetlands.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The proposed municipal sewer system will alleviate potential problems associated with failed or substandard onsite septic systems within the Wilson Pond watershed.

6. Conservation Commission strongly supports the sewer project, though requests alternatives for controlling stormwater discharges into Wilson Pond.

7. The Department has determined the proposed stormwater control structures will adequately control stormwater runoff.

8. The Department has determined the project will provide a long term benefit to the environment.

2004-00374 VALLEY STREAM ESTATES, INC. MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Permanently remove an existing 2 ft 8 in x 32 ft seasonal dock and an existing 4 ft x 48 ft seasonal dock, and replace with (2) 6 ft x 40 ft seasonal docks, spaced 12 feet apart, adjacent to an existing 46 linear ft jetty on an average of 200 ft of frontage on Moultonborough Neck, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. did not comment on project.

APPROVE PERMIT:

Permanently remove an existing 2 ft 8 in x 32 ft seasonal dock and an existing 4 ft x 48 ft seasonal dock, and replace with (2) 6 ft x 40 ft seasonal docks, spaced 12 feet apart, adjacent to an existing 46 linear ft jetty on an average of 200 ft of frontage on Moultonborough Neck, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated February 28, 2004, as received by the Department on March 8, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. All removed seasonal docks and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
9. Seasonal piers shall be removed from the lake for the non-boating season.
10. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), replacement of (2) nonconforming seasonal docks providing 3-slips, with (2) standard piers providing a maximum of 3 boat slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. Deeds submitted to the file show that the abutter has boating rights associated with this frontage but do not indicate that the abutter owns any existing docking structures.
6. The proposed docking facilities will provide the same number of slips as the existing facilities, therefore there should be no adverse impact to docking rights associated with the replacement of the structures.

MINIMUM IMPACT PROJECT

2003-01615 CLAREMONT, CITY OF
CLAREMONT Sugar River

Requested Action:

Repair failed sanitary sewer manhole and stabilize approximately 30 feet of stream bank along the Sugar River, Claremont

CONFIRM EMERGENCY AUTHORIZATION:

Repair failed sanitary sewer manhole and stabilize approximately 30 feet of stream bank along the Sugar River, Claremont

With Conditions:

1. All work was conducted in accordance with documents submitted by The Town of Claremont dated July 25, 2003, as received by the Department on July 30, 2003.
2. Repair shall maintain existing size, location and configuration.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v).
2. The project was necessary to repair failed sanitary sewer line and stabilize the banks of the Sugar River in order to prevent discharge of septage into the Sugar River.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on July 25, 2003.
4. Review of the documents submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

2003-02132 BACON, MALCOLM
ALBANY Unnamed Stream

Requested Action:

Request amendment to realign roadway and change culvert size and location reducing total project impacts from 1,744 sq. ft. to 1,170 sq. ft.

APPROVE AMENDMENT:

Approve amendment to realign roadway and change culvert size and location reducing total project impacts from 1,744 sq. ft. to 1,170 sq. ft.

Dredge and fill a total of 1,170 sq. ft. of palustrine forested/scrub-shrub wetlands to install two (2) culvert crossings and upgrade an existing logging road to access a buildable portion of the lot.

With Conditions:

1. All work shall be in accordance with plans and narrative submitted by B.H.Keith Associates dated April 15, 2004 and received by the Department on April 19, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback or other construction activities.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be properly rip rapped.
9. Work shall be done during low flow.

2004-00140 VISTA ROAD LLC
NEW BOSTON Unnamed Wetland

Requested Action:

Dredge and fill 2,990 square feet of palustrine forested wetlands and an intermittent stream for a subdivision road and access to 2 lots of a proposed 14-Lot subdivision known as Hutchinson Road Subdivision

Conservation Commission/Staff Comments:

The Conservation Commission did not sign the expedited application and questioned some drainage patterns along the proposed subdivision roads and the potential for additional wetlands on site.

Inspection Date: 03/18/2004 by Jeffrey D Blecharczyk

Inspection Date: 03/31/2004 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Dredge and fill 2,990 square feet of palustrine forested wetlands and an intermittent stream for a subdivision road and access to 2 lots of a proposed 14-Lot subdivision known as Hutchinson Road Subdivision

With Conditions:

1. All work shall be in accordance with plans by TFMoran, Inc. plan sheets 1, 3-6, 11-18 dated October 31, 2003, as received by the Department on January 26, 2004 and plan sheets 2 and 7-10 revised March 5, 2004 as received by the Department on April 7, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
8. Work shall be done during low flow.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Conservation Commission questioned some drainage patterns along the proposed subdivision roads and the potential for additional wetlands on site.
6. DES Staff conducted field inspections of the proposed project on March 18th and 31st of 2004. Field inspections determined the proposed impacts have been properly identified on the plans and addressed in the application received by DES.
7. The seasonal stream channel located immediately east of roadway stations 15+00 through 12+00 disappears from the surface near station 13+50 and emerges near station 12+75.
8. The DES Wetlands Bureau has determined this section of under ground flowage is not jurisdictional.

2004-00358 DEMERS, CAREY
NEWBURY Lake Sunapee

Requested Action:

Repair an existing 30 ft 8 in x 22 ft 6 in boathouse supported by (4) 8 ft x 8 ft cribs in kind, connected to (1) existing 5 ft x 30 ft 8 in pier, (1) existing 3 ft 6 in x 30 ft 8 in pier, and (1) existing 6 ft x 31 ft deck attached at the shoreline on an average of 90 ft of frontage on Lake Sunapee, Newbury.

Conservation Commission/Staff Comments:

Con. Com. did not sign application; feels project is incomplete and warrants a site inspection.

APPROVE PERMIT:

Repair an existing 30 ft 8 in x 22 ft 6 in boathouse supported by (4) 8 ft x 8 ft cribs in kind, connected to (1) existing 5 ft x 30 ft 8 in pier, (1) existing 3 ft 6 in x 30 ft 8 in pier, and (1) existing 6 ft x 31 ft deck attached at the shoreline on an average of 90 ft of frontage on Lake Sunapee, Newbury.

With Conditions:

1. All work shall be in accordance with plans by Richard Green dated April 20, 2004, as received by the Department on April 24, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
6. All removed material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
7. The existing rocks from the cribs shall be used for repair. No Additional Rocks.
8. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
10. Repair shall maintain existing dimensions (including height), location and configuration.
11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2004-00370 SKIFFINGTON HOMES
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Install a 6 ft x 40 ft seasonal dock hinged to a 6 ft x 4 ft concrete pad, and excavate 395 sq ft to construct a 20 ft x 19 ft perched beach, utilizing 7 cu yds of sand, surrounded by 68 linear ft of stone wall, with stairs accessing the beach and the water, on an average of 103 ft of frontage on Greens Basin, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. suggested beach be relocated to a leveler area.

APPROVE PERMIT:

Install a 6 ft x 40 ft seasonal dock hinged to a 6 ft x 4 ft concrete pad, and excavate 395 sq ft to construct a 20 ft x 19 ft perched beach, utilizing 7 cu yds of sand, surrounded by 68 linear ft of stone wall, with stairs accessing the beach and the water, on an average of 103 ft of frontage on Greens Basin, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by David M. Dolan Associates, P.C. dated February 23, 2004, as received by the Department on March 8, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
8. Seasonal pier shall be removed from the lake for the non-boating season.
9. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
10. Excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction prior to new construction.
11. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
12. The steps installed for access to the water shall be located completely landward of the normal high water line.
13. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
14. This permit shall be used only once, and does not allow for annual beach replenishment.
15. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
16. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
17. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a)&(d), installation of a 2-slip seasonal dock, and construction of a perched beach utilizing less than 10 cubic yards of sand.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Conservation Commission feels the beach should go in a different location.
6. The beach meets all the Rules under Wt 300-400, and Env-Ws 1400.

2004-00449 LEBANON HOUSING ASSOCIATES
LEBANON Macoma River

Requested Action:

Dredge and fill a total of 2930 square feet for the repair and replacement of three storm water outlets.

Conservation Commission/Staff Comments:

The conservation commission approved the application.

APPROVE PERMIT:

Dredge and fill a total of 2930 square feet for the repair and replacement of three storm water outlets.

With Conditions:

1. All work shall be in accordance with plans by Wright Pierce, as received by the Department on April 9, 2004.
2. The executed easements shall be submitted to DES Wetlands Bureau prior to construction.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. Any future work that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work shall be conducted during low water conditions.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(n), projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, and Rule Wt 303.04(f), projects involving alteration of less than 3000 square feet in swamps or wet meadows.
2. The purpose of the project is to separate sewer and storm water flows thereby improving water quality.

2004-00467 AKWA MARINA YACHT CLUB LLC
LACONIA Lake Winnepesaukee

Requested Action:

Repair the following structures within an existing major docking facility in kind:

- 1)three 2' x 30' piers with two support pilings each
- 2)five 2' x 21' peirs with two support pilings each
- 3)one 4' x 30' pier with six support pilings
- 4)one 2' x 31' 10" pier with 3 support pilings
- 5)one 2' x 24' 6inch pier with 2 support pilings
- 6)one 2' x 25' pier with three support pilings
- 7)one 4' x 110' pier with 23 support pilings
- 8)one 4' x 20' pier with 2 support pilings
- 9)50' of an 8' x 100' pier supported by cribs

Conservation Commission/Staff Comments:

ConComm concerned about litigation of unpermitted docks. Repair is only requested for docks not under question.

APPROVE PERMIT:

Repair the following structures within an existing major docking facility in kind:

- 1)three 2' x 30' piers with two support pilings each
- 2)five 2' x 21' peirs with two support pilings each
- 3)one 4' x 30' pier with six support pilings
- 4)one 2' x 31' 10" pier with 3 support pilings
- 5)one 2' x 24' 6inch pier with 2 support pilings
- 6)one 2' x 25' pier with three support pilings
- 7)one 4' x 110' pier with 23 support pilings
- 8)one 4' x 20' pier with 2 support pilings
- 9)50' of an 8' x 100' pier supported by cribs

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated March 10, 2004, as received by the Department on March 22, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. Repair shall maintain existing size, location and configuration.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
7. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
8. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
9. This permit is only valid for a one time repair and only to those portions of the structure specified.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v), maintenance, repair, and replacement in-kind of existing docking structures.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2004-00653 ZOLKOS, CHARLES
PELHAM Unnamed Stream

COMPLETE NOTIFICATION:
Pelham Tax Map 27-2, Lot# 81

2004-00673 CARTABONA, ROBERT
DEERFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Deerfield Tax Map 423, Lot# 1

2004-00674 DAVIS, EDITH
CANAAN Unnamed Stream

COMPLETE NOTIFICATION:
Canaan Tax Map 12, Lot# 9

2004-00675 CARDINAL DEVELOPMENT
WINCHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Winchester Tax Map 9, Lot# 12, 12 & 13

2004-00676 BATES, JOHN
CHICHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Chichester Tax Map 1, Lot# 19, 21 & 21A

2004-00677 PETERSON, WARD & CYNTHIA
GILMANTON Unnamed Stream

COMPLETE NOTIFICATION:
Gilmanton tax Map 8, Lot# 4

2004-00678 SARCIONE, SHANNON
ALSTEAD Unnamed Stream

COMPLETE NOTIFICATION:
Alstead Tax Map 66, Lot# 9

2004-00689 SPNHF
JAFFREY Unnamed Stream

COMPLETE NOTIFICATION:
Jaffrey Tax Map 220 Lot# 21 & 26
219 8

OTHER BUSINESS

2004-00538 BEDFORD, TOWN OF
BEDFORD Bowman Brook

Requested Action:

Dredge and fill a total of 1,000 sq. ft. or as minimally necessary to replace culverts carrying Bowman Brook under Oak Drive and Wendover Way which washed out due to a storm event on April 02, 2004.

CONFIRM EMERGENCY AUTHORIZATION:

Dredge and fill a total of 1,000 sq. ft. or as minimally necessary to replace culverts carrying Bowman Brook under Oak Drive and Wendover Way which washed out due to a storm event on April 02, 2004.

With Conditions:

1. All work shall be in accordance with emergency authorization issued 04/02/04.
2. Any further alteration of areas at these locations that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Proper headwalls shall be constructed within seven days of culvert installation.
5. Culvert outlets shall be properly rip rapped.

EXPEDITED MINIMUM

2004-00163 WALKER, KENNETH
WESTMORELAND Unnamed Wetland

Requested Action:

Approve name change to: David and Sandra Raabe, 1215 Route 12, Westmoreland nh 03467 per request received 4/26/04.

Conservation Commission/Staff Comments:

Westmoreland Conservation Commission signed the expedited application.

APPROVE NAME CHANGE:

Install two 18-inch x 25 foot culvert impacting 1,950 square feet of palustrine forested wetlands to provide access to a proposed single family residence.

With Conditions:

1. All work shall be in accordance with plans by Forest Designs dated June 2, 2003, as received by the Department on January 30, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be done in the dry.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Culvert inverts shall be laid at existing grade.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip rapped in accordance with the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2004-00527

BUNKER LANE CONDO ASSOC OF UNIT OWNERS INC

MADBURY Drainage Ditch

Requested Action:

Temporarily impact 550 square feet of freshwater wetlands for the installation of a sewer service connection to an existing residence.

APPROVE PERMIT:

Temporarily impact 550 square feet of freshwater wetlands for the installation of a sewer service connection to an existing residence.

With Conditions:

1. All work shall be in accordance with plans by SFC Engineering Partnership, Inc. dated November 12, 2003, as received by the Department on March 30, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will

require a new application and approval by the Bureau.

3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving less than 3,000 square feet of wetlands impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has obtained written approval from the abutting property owner for work within 20 feet of the property line.
5. The NH Natural Heritage Bureau has record of three natural communities of special concern within the vicinity of the project, Gulf of Maine Brackish Tidal Marsh, Gulf of Salt Marsh, and Rich Appalachian Oak-Hickory Talus Forest/Woodland; two state threatened plant species, Downy False-Foxglove (*Aureolaria virginica*) and Missouri Rock-Cress (*Arabis missouriensis*); and one plant species of special concern, Small Crested Sedge (*Carex cristatella*).
6. DES finds that none of the Natural Heritage Bureau identified communities of special concern or plant species will be impacted as a result of the proposed project, as none of the identified items are located on the property.

2004-00559 HORIZON LAND DEVELOPMENT LLC, DAVID FRASER, PRES
AMHERST Unnamed Wetland

Requested Action:

Temporarily impact approximately 390 square feet within forested wetlands and within the bed and banks of an intermittent stream to install two poled fords to provide access to upland areas to conduct soil testing for future subdivision and septic purposes.

Conservation Commission/Staff Comments:

The Amherst Conservation Commission signed the Minimum Impact Expedited Application

APPROVE PERMIT:

Temporarily impact approximately 390 square feet within forested wetlands and within the bed and banks of an intermittent stream to install two poled fords to provide access to upland areas to conduct soil testing for future subdivision and septic purposes.

With Conditions:

1. All work shall be in accordance with plans by TFMoran, Inc. dated March 8, 2004, as received by the Department on April 5, 2004.
2. Temporary poled fords shall be installed utilizing techniques described in the Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire (February, 2000).
3. Temporary impact areas shall be regraded to original contours and stabilized within seven days following completion of work.
4. Within 30 days following restoration of the temporary impacts areas the applicant shall submit dated and labeled photos of the temporary impact areas to the DES Wetlands Bureau.
5. Work shall be done during low flow conditions.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to crossing, shall be maintained during crossing, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or

netting and pinning on slopes steeper than 3:1.

9. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00595 SHORT, BRIAN
DOVER Piscataqua River

Requested Action:

Permanently impact 907 square feet of the developed upland tidal buffer zone for the construction of additional living space, two porches, for the installation of an upgraded septic system and utility lines. Temporarily impact 2,075 square feet of developed upland tidal buffer zone to provide a work area for construction. Project impacts total 2,982 square feet within the developed upland tidal buffer zone.

APPROVE PERMIT:

Permanently impact 907 square feet of the developed upland tidal buffer zone for the construction of additional living space, two porches, for the installation of an upgraded septic system and utility lines. Temporarily impact 2,075 square feet of developed upland tidal buffer zone to provide a work area for construction. Project impacts total 2,982 square feet within the developed upland tidal buffer zone.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants, Inc. dated January 2, 2004, as received by the Department on April 9, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas within the Department's jurisdiction.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
8. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(b), projects in previously developed upland areas within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application

Evaluation, has been considered in the design of the project.

GOLD DREDGE

2004-00704 TREMBLAY, LAWRENCE
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
Bath ConCom

2004-00705 BAKER, ALLAN
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
Bath ConCom

2004-00706 BAKER, SALLY
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
Bath ConCom

LAKES-SEASONAL DOCK NOTIF

2004-00702 ENDICOTT, JIM/TINA
CONWAY Conway Lake

COMPLETE NOTIFICATION:
Conway Tax Map 268, Lot# 138 Conway Lake

2004-00703 CLARK SR, ALAN
ENFIELD Mascoma Lake

COMPLETE NOTIFICATION:
Enfield Tax Map 19, Lot# 15 Mascoma Lake

2004-00707 KING, GREGG
SANBORTON Hermit Lake

COMPLETE NOTIFICATION:

Sanbornton Tax Map 8, Lot# 63.1 Hermit Lake

2004-00708 WEAVER, MICHELLE
AMHERST Baboosic Lake

COMPLETE NOTIFICATION:
Amherst tax map 25, Lot# 53 Baboosic Lake

2004-00750 PIPER REVOC TRUST, STEPHEN
LACONIA Lake Winnisquam

COMPLETE NOTIFICATION:
Laconia Tax Map 22, Lot# 8 Lake Winnisquam

2004-00751 MERRILL, STEVEN
MEREDITH Lake Winnepesaukee

COMPLETE NOTIFICATION:
Meredith Tax Map U24, Lot# 40 & 42 Lake Winnepesaukee

2004-00752 FORD, JANE
DEERING Deering Reservoir

COMPLETE NOTIFICATION:
Deering Tax Map 5, Lot# 268 Deering Reservoir

ROADWAY MAINTENANCE NOTIF

2004-00700 NH DEPT OF TRANSPORTATION, DISTRICT 6
DANVILLE Unnamed Stream

2004-00748 NH DEPT OF TRANSPORTATION
LEE Ditch

PERMIT BY NOTIFICATION

2004-00537 LEWIS, DANIEL & LESLIE
ALSTEAD Man-made Pond

Requested Action:

PBN #3, Maintenance dredge 2,000 sq.ft. of man-made pond.

Conservation Commission/Staff Comments:

Alstead Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN #3, Maintenance dredge 2,000 sq.ft. of man-made pond.

2004-00695 ROLLINS, JAMES/MARYJAYNE
BARRINGTON Unnamed Stream

Requested Action:

PBN#1, dredge and fill 840 sq ft of forested wetland to install a culvert for access to a single family residential lot.

Conservation Commission/Staff Comments:

Barrington Conservation Commission sign the PBN form

2004-00710 LAKE WINNISQUAM POINT ASSOC
LACONIA Lake Winnisquam

Requested Action:

PBN#11, inkind replacement of docking structures.

Conservation Commission/Staff Comments:

Laconia Conservation Commission signed the PBN form

2004-00712 BOA HOLDINGS, JOHN O'NEIL
MEREDITH Lake Winnepesaukee

Requested Action:

PBN#11, Inkind replacement of docking structures.

Conservation Commission/Staff Comments:

Meredith Conservation Commission signed the PBN form.

2004-00724 LAKE SHORE PARK ASSOC
GILFORD Lake Winnepesaukee

Requested Action:

PBN#11, Inkind replace of an ice cluster.

Conservation Commission/Staff Comments:

Gilford Conservation Commission signed the PBN form.

2004-00725

COONS, KEVIN

GILFORD Unnamed Wetland

Requested Action:

PBN#1, dredge and fill 1270 sq ft of impacts to forested wetland to install a culvert for access to a single family residential lot.

PBN#2, installation of a residential utility line.

Conservation Commission/Staff Comments:

Gilford Conservation Commission signed the PBN form.